

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

NOTICE OF DOCUMENT DISCREPANCIES **FILED**

2008 JUL 14 PM 3:46 *This space for
Clerk's Office File Stamp*

CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
John A Houston

TO: ☐ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE
FROM: M. Marner, Deputy Clerk RECEIVED DATE: 7/10/08
CASE NO.: 08cv859-JAH (LSP) DOCUMENT FILED BY: Pla Alvin Hennington Jr
CASE TITLE: Hennington v US Customs and Border Protection
DOCUMENT ENTITLED: Request for Entry of Default and for Court Judgment

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/>	Local Rule	Discrepancy
<input type="checkbox"/>	5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/>	5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/>	5.4	Document not filed electronically. Notice of Noncompliance already issued.
<input type="checkbox"/>	7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/>	7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/>	7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/>	7.1	Missing table of contents
<input type="checkbox"/>	15.1	Amended pleading not complete in itself
<input type="checkbox"/>	30.1	Depositions not accepted absent a court order
<input type="checkbox"/>		Supplemental documents require court order
<input type="checkbox"/>		Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/>	X	<u>OTHER: Form is a State Court Form</u>

Date forwarded: 7/11/08

ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED:

- ☐ The document is to be filed nunc pro tunc to date received.
- ☒ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Houston

Dated: 7/11/08
cc: All Parties

By: [Signature]

REJECTED

CIV-100

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Alvin Hennington JR. 5170 Clairmont mesa BLVD unit 4 San Diego, Ca. 92117-1465 TELEPHONE: (858) 495-0695 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Ind proper	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 330 W. Broadway MAILING ADDRESS: 330 W. Broadway CITY AND ZIP CODE: San Diego, Ca. 92101 BRANCH NAME: HALL of Justice - central	
PLAINTIFF/PETITIONER: ALVIN HENNINGTON JR. DEFENDANT/RESPONDENT: U.S. Customs / Federal Bureau of Investigation	
REQUEST FOR (Application) <input checked="" type="checkbox"/> Entry of Default <input checked="" type="checkbox"/> Clerk's Judgment <input checked="" type="checkbox"/> Court Judgment	CASE NUMBER: 37-2008- 00081249-CU-CR-CTL 08 CV 0859 JLS BLM

1. TO THE CLERK: On the complaint or cross-complaint filed
- a. on (date): **April 8, 2008**
- b. by (name): **ALVIN HENNINGTON JR.**
- c. ☒ Enter default of defendant (names): **U.S. Customs Border Protection**
Federal Bureau of Investigation
- d. ☒ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)

- e. ☒ Enter clerk's judgment

- (1) ☒ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)

☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.

- (2) ☒ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)

- (3) ☐ for default previously entered on (date):

2. Judgment to be entered.	Amount	Credits acknowledged	Balance
a. Demand of complaint	\$8,000,000,000.00	\$ 0	\$8,000,000,000.00
b. Statement of damages * Eight Billion Dollars			
(1) Special	\$ 0	\$ 0	\$ 0
(2) General	\$ 0	\$ 0	\$ 0
c. Interest	\$ 0	\$ 0	\$ 0
d. Costs (see reverse) w/ waiver	\$ 0	\$ 0	\$ 0
e. Attorney fees	\$ 0	\$ 0	\$ 0
f. TOTALS	\$8,000,000,000.00	\$ 0	\$8,000,000,000.00

g. Daily damages were demanded in complaint at the rate of: \$

per day beginning (date):

(* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3. ☐ (Check if filed in an unlawful detainer case) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: **June 12, 2008**
ALVIN HENNINGTON JR.
 (TYPE OR PRINT NAME)

Alvin Hennington Jr.
 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

- (1) ☐ Default entered as requested on (date):
 (2) ☐ Default NOT entered as requested (state reason):

FOR COURT
USE ONLY

Clerk, by _____ Deputy

Page 1 of 2

RECEIVED
(Application to Enter Default)

REQUEST FOR ENTRY OF DEFAULT

CIV-100-JCC (Rev. January 1, 2007)

Page 2 of 2

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 12, 2008

Alvin Hennington Jr. (TYPE OR PRINT NAME)

Alvin Hennington Jr. (SIGNATURE OF DECLARANT)

8. ☒ Declaration of nonmilitary status (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 12, 2008

Alvin Hennington Jr. (TYPE OR PRINT NAME)

Alvin Hennington Jr. (SIGNATURE OF DECLARANT)

9. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

7. Memorandum of costs (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

a. Clerk's filing fees waiver

b. Process server's fees 0

c. Other (specify): 0

d. TOTAL Demand of complaint 0

e. 0

f. Costs and disbursements are waived 0

8. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

Date: July 10 2008

Alvin Hennington Jr. (TYPE OR PRINT NAME)

Alvin Hennington Jr. (SIGNATURE OF DECLARANT)

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: June 12, 2008

Alvin Hennington Jr. (TYPE OR PRINT NAME)

Alvin Hennington Jr. (SIGNATURE OF DECLARANT)

6. Declaration of mailing (Code Civ. Proc., § 587). A copy of this Request for Entry of Default was

a. ☒ not mailed to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names):

b. ☒ mailed first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:

(1) Mailed on (date): U.S. Customs

(2) To (specify names and addresses shown on the envelope):

610 Ash Street

San Diego, CA 92101

9797 Aero Drive

San Diego, CA 92123

5. Declaration under Code of Civil Procedure Section 585.5 (required for entry of default under Code Civ. Proc., § 585(a)).

a. ☒ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).

b. ☒ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).

c. ☒ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

d. ☒ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).

e. ☒ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).

f. ☒ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

4. Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.). A legal document assistant or unlawful detainer assistant gave advice or assistance with this form.

a. Assistant's name: _____

b. Street address, city, and zip code: _____

c. Telephone no.: _____

d. County of registration: _____

e. Registration no.: _____

f. Expires on (date): _____

(If declarant has received any help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

or unlawful detainer assistant ☒ did not ☐ did

4. Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.). A legal document assistant or unlawful detainer assistant gave advice or assistance with this form.

PLAINTIFF/PETITIONER: Alvin Hennington Jr.

DEFENDANT/RESPONDENT: U.S. Customs

CASE NUMBER: 37-2008-00081249-CR-CTL

CIV-100